

**LA QUINTA CITY COUNCIL
MINUTES
DECEMBER 7, 2010**

A regular meeting of the La Quinta City Council was called to order at the hour of 3:00 p.m. by Mayor Adolph.

PRESENT: Council Members Evans, Franklin, Henderson, Sniff, Mayor Adolph

ABSENT: None

PUBLIC COMMENT – None

BUSINESS SESSION

- 1. CONSIDERATION OF A RESOLUTION CERTIFYING THE OFFICIAL CANVASS OF ELECTION RETURNS FOR THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 2, 2010.**

City Clerk Montecino presented the staff report.

RESOLUTION NO. 2010-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON THE SECOND DAY OF NOVEMBER, 2010, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW.

It was moved by Council Members Sniff/Henderson to adopt Resolution No. 2010-070 as submitted. Motion carried unanimously.

The City Clerk administered the oath of office to Mayor Adolph, Council Member Evans, and Council Member Henderson.

CLOSED SESSION – None

Council recessed to the Redevelopment Agency and to and until the hour of 4:00 p.m.

4:00 P.M.

Mayor Adolph led the audience in the Pledge of Allegiance.

PUBLIC COMMENT

Mark Moran, P.O. Box 1305, La Quinta, reported the destruction of light fixtures at the bus stop located in front of the La Quinta Commercial Center; stated the lights have been continually destroyed since the bus stop was installed; he has been personally cited for no working lights; the area needs lights and has requested information for indestructible, vandalism-proof light fixtures from staff. He requested the citation be revoked and assistance from staff to remedy the situation.

Council Member Henderson asked Mr. Moran if he was personally cited for the absence of lights. Mr. Moran confirmed and explained he does not have the authority to take action on behalf of the property owner.

Mayor Adolph referred to the lighting installed on Calle Tampico near Palm Drive that are protected from vandalism.

Mr. Moran stated there are heavy-duty steel light fixtures installed along Highway 111 in Indian Wells, but he is not aware of what type of lighting is acceptable in La Quinta.

Council Member Evans suggested lighting components for the Highway 111 landscaping be considered for protection from vandalism.

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Mark Weber, 78-795 Wakefield Circle, introduced Boy Scout, Troop 377 of Bermuda Dunes, and explained they are working on their citizenship merit badges, and attending the La Quinta Council Meeting to meet the requirement.

CONFIRMATION OF AGENDA – Confirmed**ANNOUNCEMENTS** – None

PRESENTATIONS**1. UPDATE FROM COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT.**

Branka Lathrop, General Manager of the Coachella Valley Mosquito and Vector Control District, introduced Maria Kylis who gave a brief update on the District.

2. LA QUINTA LIBRARY AND MUSEUM QUARTERLY REPORT FOR JULY THROUGH SEPTEMBER 2010.

Joanna Wickman, Museum Manager, and Beth Foley, Manager of the La Quinta Library, presented the quarterly report.

Council Member Henderson commented on the importance of publically reporting the circulation and attendance numbers at the Library; reported there were 65,310 library circulations in the first quarter this year and this quarter there were 57,723 circulations; they issued 758 new library cards for a total of 28,749 to date.

3. PRESENTATIONS BY THE PALM SPRINGS HOSPITALITY ASSOCIATION AND THE COUNTY OF RIVERSIDE REGARDING WHETHER THE CITY OF LA QUINTA AND/OR THE PALM SPRINGS DESERT RESORT COMMUNITIES CONVENTION AND VISITORS JOINT POWERS AUTHORITY SHOULD TAKE A POSITION ON THE PROPOSED DETENTION FACILITY IN THE WHITEWATER VICINITY DUE TO POTENTIAL IMPACT ON THE HOSPITALITY INDUSTRY.

Karl Kruger, Vice President of Noble House Hotels and owner/operator of the Riviera Resort and member of the HIBC and the Palm Springs Hospitality Association; and Paul Nulan, representing Palm Springs Hospitality Association, spoke regarding the potential impact on the hospitality industry by the proposed detention facility in the Whitewater area.

Council Member Henderson inquired about the presence of a prison in downtown Las Vegas, Nevada, and a jail in downtown Riverside near the Mission Inn. Mr. Nulan confirmed presence of the jail in Riverside and stated he believes there is a facility in Nevada at State Line near Primm Valley.

In response to Council Member Evans, Mr. Nulan stated the location of the proposed detention center is approximately 11-12 miles from downtown Palm Springs.

Mayor Adolph asked who owns the property. Council Member Sniff responded the County of Riverside is the property owner and Mr. Nulan confirmed it. Mayor Adolph stated it would not be prudent to purchase the property and not utilize it; and stated the County should have done their due diligence before considering this use for the property. Council Member Henderson noted the County owns the other four properties considered for the facility.

Council Member Sniff expressed astonishment regarding the presentation; stated the jail facility in Indio is quite an edifice and yet has not destroyed the City of La Quinta nor the La Quinta hotel; the proposed jail will not destroy the tourist business; the facility is necessary and will be well-managed, and is a significant distance from downtown Palm Springs. He stated he is positive the facility will not damage tourism in Palm Springs or the Coachella Valley; stated prisoners will be transported on the freeway and not on local roads traveled by tourists; concern about the facility has been worked up beyond logic; the facility will be an asset to the County and the Coachella Valley; and stated the facility is needed to prevent early release of prisoners.

Mr. Nulan clarified that he did not imply the prisoners would be transported on local roadways and confirmed they would be transported on the freeway.

Mayor Adolph explained action cannot be taken on a presentation item and asked if the Council would like for this issue to be brought back for discussion.

Council Member Evans explained this presentation was made to the Palm Springs Desert Resort Communities Convention & Visitors Authority (CVA), Joint Powers Association Division (JPA), and a position was requested for the JPA to support or oppose building of the detention center at the proposed location at Whitewater; the urgency of the presentation is due to the deadline of receiving comments on the EIR by next Monday; and explained the CVA requested the presentation be made to all cities in the Valley; requested direction from the City Council to report back to the CVA; and reported CVA opposes the facility.

Council Member Henderson suggested the City remain neutral and Council Member Sniff agreed.

Council Member Franklin asked about the proposed timeframe for construction of the facility. Mr. Nulan stated he does not know the timeframe.

In response to Council Member Evans, City Manager Genovese explained in order for the City Council to consider this as a business item it would require a 4/5 vote to add it to the agenda; and further explained no position would be implied if Council gives no direction to staff on this matter.

WRITTEN COMMUNICATIONS – None

APPROVAL OF MINUTES

MOTION – It was moved by Council Members Sniff/Evans to approve the Special Joint City Council/Commission Minutes of November 9, 2010, as submitted. Motion carried unanimously.

MOTION – It was moved by Council Members Sniff/Franklin to approve the City Council Minutes of November 16, 2010, as submitted.

CONSENT CALENDAR

1. **APPROVAL OF DEMAND REGISTER DATED DECEMBER 7, 2010.**
2. **APPROVAL OF APPROPRIATION OF ADDITIONAL QUIMBY FUNDS FOR THE COLONEL PAIGE MIDDLE SCHOOL RESTROOM, PROJECT NO. 2010-05.**
3. **APPROVAL OF THE MEMORIAL TREE PROGRAM UPDATE.**
4. **APPROVAL OF A REQUEST BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD TO UTILIZE THE COUNCIL CHAMBERS FOR PUBLIC HEARINGS AND THE CAUCUS ROOM ON JANUARY 20, MARCH 17, MAY 19, JUNE 16, SEPTEMBER 15, AND NOVEMBER 17, 2011, FROM 8:00 A.M. TO 5:00 P.M.**
5. **ACCEPTANCE OF STATE FUNDING IN THE AMOUNT OF \$100,000 FROM THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF).**
6. **ACCEPTANCE OF DRAINAGE IMPROVEMENTS (NORTHEAST CORNER OF SIMON DRIVE AND WASHINGTON STREET), PROJECT NO. 2009-15.**

7. **ACCEPTANCE OF LAGUNA DE LA PAZ SOUND ATTENUATION WALL IMPROVEMENTS, PROJECT NO. 2008-01, AND APPROVAL OF CONTRACT CHANGE ORDER NO. 5.**
8. **APPROVAL OF PROGRAM SUPPLEMENTAL AGREEMENT NO. 011-N TO THE CITY OF LA QUINTA MASTER AGREEMENT 08-5433R FOR CONGESTION MANAGEMENT AIR QUALITY FUNDING TOWARD THE ADAMS STREET, MILES AVENUE, AND DUNE PALMS ROAD SIGNAL INTERCONNECT PROJECT, PROJECT NO. 2009-024.**
9. **APPROVAL OF PROGRAM SUPPLEMENTAL AGREEMENT NO. 012-N TO THE CITY OF LA QUINTA MASTER AGREEMENT 08-5433R FOR CONGESTION MANAGEMENT AIR QUALITY FUNDING TOWARD THE EISENHOWER DRIVE AND CALLE TAMPICO SIGNAL INTERCONNECT PROJECT, PROJECT NO. 2009-22.**
10. **APPROVAL OF MEMORANDUMS OF UNDERSTANDING AMONG THE CITY OF LA QUINTA, DESERT SANDS UNIFIED SCHOOL DISTRICT, COACHELLA VALLEY UNIFIED SCHOOL DISTRICT, AND OTHER AGENCIES REGARDING SAFE ROUTES TO SCHOOL.**
11. **DENIAL OF CLAIM FOR DAMAGES FILED BY JUDITH & LEE JONES — DATE OF LOSS: OCTOBER 27, 2010.**
12. **DENIAL OF CLAIM FOR DAMAGES FILED BY NEELAM ALLEN — DATE OF LOSS: NOVEMBER 1, 2010.**
13. **DENIAL OF CLAIM FOR DAMAGES FILED BY PHILIP YOUNG — DATE OF LOSS: OCTOBER 23, 2010.**
14. **ADOPTION OF A RESOLUTION MAKING CERTAIN FINDINGS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33445(a) AND AUTHORIZING THE EXPENDITURE OF FUNDS TOWARD THE MILES AVENUE MEDIAN LANDSCAPE IMPROVEMENTS; APPROPRIATING FUNDS AND APPROVING INCLUSION OF THE MILES AVENUE MEDIAN LANDSCAPE IMPROVEMENTS WITHIN THE FISCAL YEAR 2010-2011 CAPITAL IMPROVEMENT PLAN; APPROVING THE PLANS, SPECIFICATIONS, AND ENGINEER'S ESTIMATE (PS&E); AND AUTHORIZING STAFF TO ADVERTISE THE PROJECT FOR BID. (RESOLUTION NO. 2010-071)**
15. **APPROVAL OF AWARD OF CONTRACT TO CONSTRUCT THE TURF REDUCTION GREENS PROJECT, PROJECT NO. 2009-18.**

MOTION – It was moved by Council Members Sniff/Evans to approve the Consent Calendar as recommended and with Item No. 14 being approved by **RESOLUTION NO. 2010-071**. Motion carried unanimously.

BUSINESS SESSION continued

2. CONSIDERATION OF 2ND QUARTER COMMUNITY SERVICES GRANTS AND FUNDING REQUESTS.

Recreation Supervisor Ambriz presented the staff report.

Council Member Sniff stated he noticed most of the requests were for \$1,000 or \$5,000.

Mayor Adolph thanked the committee for approving the grant to ACT for MS.

Council Member Henderson stated the application requests were substantial; made an effort to recognize the good of each of the organizations; and thanked each one of the applicants for working toward the betterment of the community.

Mayor Adolph conveyed disappointment about the Soldiers Organized Services (SOS) not receiving more.

Council Member Evans explained the amount awarded was the maximum amount allowed.

MOTION – It was moved by Council Members Henderson/Franklin to approve Community Services grant requests as follows: Animal Samaritans SPCA, \$5,000; ACT for MS, \$2,000; First Composite Group Association, \$2,000; KASE (Keeping Animals Safe Everyday), \$1,000; Stroke Recovery Center, \$1,000; McCallum Theatre, \$1,000; La Quinta High School Girls Basketball Booster Club, \$1,000; SOS "Soldiers Organized Services", \$1,000; La Quinta High School Blackhawk Forensics, \$1,000; and Rancho Recovery Centers, \$1,000. Motion carried unanimously.

3. CONSIDERATION OF APPOINTMENT TO COACHELLA VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT.

There were no changes to the staff report as submitted and on file in the City Clerk Department.

MOTION – It was moved by Council Members Sniff/Henderson to appoint Robert Cox to serve a two-year term as the City's representative on the Coachella Valley Mosquito & Vector Control District Board of Trustees. Motion carried unanimously.

Council Member Henderson thanked Mr. Cox for his representation on the Board.

4. CONSIDERATION OF IMPLEMENTATION OF INCREASED DEVELOPMENT IMPACT FEES (DIF) FOR RESIDENTIAL DEVELOPMENT.

Public Works Director Jonasson presented the staff report.

Mayor Adolph asked if there is any necessity to increase the fees at this time. Public Works Director Jonasson explained the amount affects the City's financial ability to provide public improvements.

James Brownyard, Desert Valley Builders' Association (DVBA), conveyed support for deferring an increase in the fee at this time.

Chris Mounts, KB Homes, also conveyed support for deferring the fee.

Bill Blankenship, Riverside County BIA, Desert Valley Chapter, thanked the City Council for their support of past deferrals, and encouraged continuance of the deferment.

MOTION - It was moved by Council Members Sniff/Evans to direct staff to continue to defer the implementation of the increase of DIF residential fees until July 1, 2011. Motion carried unanimously.

5. CONSIDERATION OF CITY COUNCIL APPROVAL TO CLOSE CITY HALL ON DECEMBER 23 AND DECEMBER 30, 2010.

Assistant City Manager-Management Services Plumlee presented the staff report.

Council Member Henderson stated the City Council has supported the additional half-day off in the past and is not suggesting the City is unable to provide it this year but feels it is not prudent to give additional time off at this time; and explained this may be the start of having to pull back from such allowances.

Council Member Sniff made a motion to approve closing City Hall the full day on both December 23 and December 30, 2010. The motion died for lack of a second.

6. CONSIDERATION OF CITY COUNCIL REORGANIZATION.

There were no changes to the staff report as submitted and on file in the City Clerk Department.

Council Member Franklin nominated Council Member Evans to serve as Mayor Pro Tempore.

MOTION - It was moved by Council Members Franklin/Henderson to select Council Member Evans to serve as Mayor Pro Tempore. Motion carried unanimously.

7. CONSIDERATION OF CITY COUNCIL STANDING COMMITTEE AND OTHER AGENCY APPOINTMENTS.

There were no changes to the staff report as submitted and on file in the City Clerk Department.

Mayor Adolph asked if there were any requests from the City Council to change the appointments.

Council Member Henderson stated the League of California Cities is not an appointed committee and attends the meetings on the City Council's behalf as the City Council is a member.

Council Member Henderson extended an invitation to the Council Members to volunteer as the representative on the Riverside County Transportation Commission.

MOTION - It was moved by Council Members Sniff/Franklin to continue with the current appointments of the City Council Standing Committees. Motion carried unanimously.

STUDY SESSION**1. DISCUSSION OF PROPOSED GENERAL PLAN LAND USE MAP, LAND USE DESIGNATION CONSOLIDATION, AND GENERAL PLAN GOALS.**

Planning Director Johnson presented the staff report.

Nicole Criste, Planning Consultant, presented the staff report relative to the Land Use Map and Designations.

Planning Director Johnson stated there will be additional opportunities for the general public to provide input in the future.

Mayor Adolph asked if any feedback has been received from the public and if additional meetings are scheduled. Planning Director Johnson explained the environmental review processes has just begun, and community meetings will be scheduled in late winter or early spring. He confirmed staff will be gathering data and bring it back to the City Council.

Council Member Evans referenced the village commercial area and asked if there is a need to rezone any of the surrounding properties. Planning Director Johnson stated the map does not identify the zoning designations but rather the general plan land use designation; explained the village commercial designation could continue eastward to the Ralphs Shopping Center; staff conducted an open house with property and business owners in the village area who have provided feedback; the sub area focus will extend just beyond the village land use boundary and other adjacent properties will be included.

Council Member Evans asked if any change in zoning takes place at that time. Planning Consultant Criste explained it is subsequent to completion of the General Plan.

Council Member Henderson stated there might be a question of mixed use and asked if the current zoning allows for mix use. Planning Consultant Criste confirmed. Planning Director Johnson stated the current village commercial zoning also allows mixed use. Planning Consultant Criste stated the mixed use will be an overlay, which will be established in the zoning amendment process following completion of the General Plan update.

In response to Council Member Henderson, Planning Director Johnson confirmed the current general plan and zoning land use designations for the village area do not include the Ralphs Shopping Center; and the Seasons development and Ralphs Shopping Center do not fall under the village

guidelines. Planning Consultant Criste further explained the purpose of the focus area for the Village is to consider gateways and connection points; and not to expand the village commercial land use and zoning but to make the surrounding area more cohesive with it.

Council Member Henderson asked if that area could be included in the guidelines or if the assumption is that it will be included when this is brought back to the City Council. Planning Consultant Criste stated the guidelines are in zoning rather than the General Plan; the focus area description will be in the general plan and any follow up to make the focus area consistent will be considered in zoning.

Council Member Henderson stated she recalls LAFCO setting the sphere of influence boundary at Calhoun Street. After a brief discussion, Planning Director Johnson confirmed the current General Plan map presented represents the final decision made by LAFCO in 2006.

Council Member Sniff urged staff to be extremely cautious in implementing state mandates as some are being discredited and should not be involved in the planning process; and conveyed his caution for global warming, green house gases, and blueprint terms.

Mayor Adolph stated direction to staff is to continue cautiously.

REPORTS AND INFORMATIONAL ITEMS

Council Member Henderson complimented Public Works Director Jonasson for the conduction of the Public Works Intern Program.

League of California Cities – Council Member Henderson referenced a letter distributed about the overwhelming support of Proposition 22; stated Orange County and several of the cities were disappointed the League would not take a solid position for Proposition 23, and have decided to establish an independent agency; a planning meeting was held for next year's goals which include strong partnership for a stronger golden state, sustainable and secure public retirement systems, and the use of webinars and internet to reduce travel. Additionally, the general assembly passed a resolution regarding medical use of marijuana.

Palm Springs Desert Resort Communities Convention & Visitors Authority – Council Member Evans reported a reception will be held at the Rancho Mirage office for new CEO, Scott White.

CVAG Executive Committee – Mayor Adolph reported Mayor Lupe Watson was assigned to SCAG as the representative for the eastern valley.

SunLine Transit Agency/SunLine Services Group – Mayor Adolph reported the issue of taxicab service continues.

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All other reports were noted and filed.

DEPARTMENT REPORTS

1. City Manager.

City Manager Genovese reported staff has scheduled a meeting with the Cities of Coachella and Indio regarding potential park discussions, and will report back in January 2011.

3-A. JANUARY 4, 2011, CITY COUNCIL/REDEVELOPMENT AGENCY MEETINGS.

Council Member Franklin suggested cancelling the December 21st meeting, and continuing any scheduled items to the January 4, 2011 meeting.

Finance Director Falconer stated the mandated annual financial reports for the Redevelopment Agency and bond disclosure reports are scheduled for the December 21, 2010. City Manager Genovese stated staff can schedule Consent Calendar items only for the December 21st meeting, and added there may or may not be a closed session item.

8. PUBLIC WORKS DEPARTMENT.

In response to Mayor Adolph, Public Works Director Jonasson stated he has been in contact with Ms. Junken regarding the Palo Verde development and staff has made some progress with the developer; conduit has been installed; the landscaping plans have been submitted for approval; trees have been ordered and the developer will attempt to install the landscaping before the Christmas holiday.

Council Member Evans asked what type of tree was approved in the final plans. Public Works Director Jonasson stated the developer will be installing Date Palm trees with smaller plants at the base of the trees. Council

Member Henderson commented on the need for all parties involved to be patient.

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10. POLICE DEPARTMENT.

Mayor Adolph requested Police Chief Gregory report on the operation conducted in the Eastern Valley this morning. Police Chief Gregory reported a number of Federal search and arrest warrants were served in the Eastern Valley including the Cities of Coachella and Indio; 105 arrests were made and several were deferred to the State system; and stated there were a few warrants served in the La Quinta Cove and the northern part of the City. He conveyed the department's appreciation for the involvement of La Quinta's designated officers.

MAYOR AND COUNCIL MEMBERS' ITEMS

Council Member Franklin commented on the Blue Light Ceremony held by the Police Department on Monday; stated it was a moving experience and commended staff for their assistance in preparing the event.

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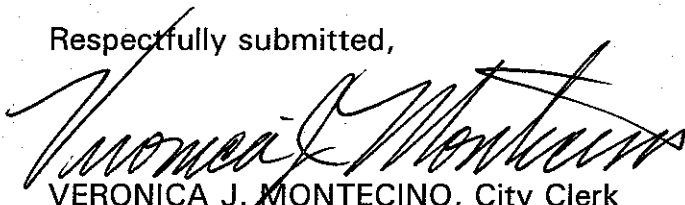
Council Member Franklin asked all to keep Mr. Steve Sanchez in their thoughts during his recovery.

PUBLIC HEARINGS – None

ADJOURNMENT

There being no further business, it was moved by Council Members Sniff/Henderson to adjourn. Motion carried unanimously.

Respectfully submitted,



VERONICA J. MONTECINO, City Clerk
City of La Quinta, California